

1 DELEGATE JAMES: Delegate Hardwicke,
2 do you wish to ask a question of Delegate Weidemeyer?

3 DELEGATE HARDWICKE. Yes.

4 Delegate Weidemeyer, we passed S&E-2 last
5 evening, the last sentence of which provides, only a
6 member of the militia may be subject to a military trial,
7 and then only while in actual service.

8 Now if we adopt Section 11, do you propose
9 that we amend S&E-2 to conform or would you propose that
10 we amend Section 11 to conform to S&E-2 or would it be
11 exactly the same thing?

12 DELEGATE WEIDEMEYER: No. I do not think we need
13 it. I think they agree. I might say, in the committee,
14 in passing this, it clearly intended that our grand jury
15 procedures as we now know them would not be disturbed,
16 and would be placed in the Constitution, especially when
17 we are not adopting the language of Article XXI,
18 Declaration of Rights, which I said by implication gave the
19 right to the grand jury and we have always had it so this
20 would continue that right and guarantee that right of grand
21 jury in certain instances.